

HOFLAND & TOMSHECK

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Attorneys for Defendant Ian Christopherson

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA ,

Plaintiff,

-vs-

IAN CHRISTOPHERSON,

Defendant.

Case Number: 2:09-cr-00056-KJD-RJJ

**COUNSEL FOR DEFENDANT'S
UNOPPOSED MOTION TO
WITHDRAW AS ATTORNEY OF
RECORD**

COMES NOW Joshua Tomsheck, Esq., of the Law Firm of Hofland & Tomsheck, and hereby moves this Honorable Court to allow the undersigned to withdraw as attorney of record in this matter.

This motion is made and based on the enclosed affidavit of counsel, Points and Authorities, all pleadings and papers on file herein and any oral argument requested by the Court at the time of hearing.

I.

STATEMENT OF FACTS

1. Counsel for the Defendant was first retained, and filed notice of attorney appearance, on January 11, 2012, after the verdict in this matter, to represent Defendant

1 on post-trial matters, specifically sentencing.

2 2. On Decemeber 17, 2012, the undersigned appeared with Defendant
3 Christopherson at the time of sentencing in this matter. Sentencing was imposed as to
4 Counts 1 and 2 and Defendant Christopherson was instructed to self-surrender by 12:00
5 p.m. on March 20, 2013.
6

7 3. At the conclusion of the sentencing hearing, the undersigned counsel
8 asked for leave to withdraw as attorney of record for Defendant Christopherson.
9 Counsel agreed to file, on behalf of Defendant Christopherson, a Motion for Bail
10 pending appeal prior to withdrawal. This Court agreed that the undersigned would be
11 allowed to withdraw following the filing of said Motion.
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13 4. On February 15, 2013, the undersigned filed a Motion for Bail Pending
14 Appeal.

15 5. On March 5, 2013, this Honorable Court entered an Order, denying
16 Defendant Christopherson's Motion for Bail Pending Appeal.
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18 6. The undersigned counsel's representation is now concluded and counsel
19 requests leave to withdraw as attorney of record at this time.

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II.
AFFIDAVIT AND DECLARATION OF COUNSEL
IN SUPPORT OF MOTION TO CONTINUE

STATE OF NEVADA)
)SS:
CLARK COUNTY)

JOSHUA TOMSHECK, ESQ., being first duly sworn, deposes and says:

1. I am currently counsel of record for Defendant Christopherson, having filed notice of attorney appearance, on January 11, 2012, to represent Defendant on post-trial matters, specifically sentencing.

2. On December 17, 2012, I appeared with Defendant Christopherson at the time of sentencing in this matter. Sentencing was imposed as to Counts 1 and 2 and Defendant Christopherson was instructed to self-surrender by 12:00 p.m. on March 20, 2013.

3. At the conclusion of the sentencing hearing, I asked for leave to withdraw as attorney of record for Defendant Christopherson. I agreed to file, on behalf of Defendant Christopherson, a Motion for Bail pending appeal prior to withdrawal. This Court agreed that I would be allowed to withdraw following the filing of said Motion.

4. On February 15, 2013, I filed a Motion for Bail Pending Appeal on behalf of Defendant Christopherson.

5. On March 5, 2013, this Honorable Court entered an Order, denying Defendant Christopherson's Motion for Bail Pending Appeal.

6. My representation of Defendant Christopherson is now concluded and I

1 request leave to withdraw as attorney of record at this time.

2 7. I sign and declare under penalty of perjury that the above statement is true
3 and correct.



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Joshua Tomsheck, Esq.

Subscribed and Sworn to me
On the 11 day of March, 2013.

Notary Public

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III.
CONCLUSION

WHEREFORE, the undersigned requests this Honorable Court allow him to withdraw as attorney of record for Defendant Christopherson in this matter.

DATED this 11TH of March, 2013.

HOFLAND & TOMSHECK



JOSHUA TOMSHECK, ESQ.
Counsel for Defendant Christopherson